

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MARILYN GAYE PIETY FOLEY	:	CIVIL ACTION NO.:
Plaintiff,	:	2:22-cv-01777-WB
v.	:	
DREXEL UNIVERSITY and	:	
ROGER KURTZ,	:	
Defendants.	:	

**DEFENDANT DREXEL UNIVERSITY’S MOTION FOR APPROVAL OF RIDER
TO SUPERSEDEAS BOND AND STAY OF JUDGMENT UNDER RULE 62(d)**

Defendant, Drexel University, by and through its counsel, Lamb McErlane PC and Tucker Law Group, moves this Honorable Court pursuant to Federal Rule of Civil Procedure 62(d) for approval of the rider increasing by \$655,805.38 (*i.e.*, 120% of the \$546,504.48 combined total of attorney’s fees and costs awarded in the Court’s July 31, 2025 order (ECF No. 297)) the supersedeas bond in the amount of \$425,992.10 issued by U.S. Specialty Insurance Company, as surety, and approved by the Court’s March 10, 2025 order (ECF No. 280), and for a stay of enforcement of and execution on the Court’s July 31, 2025 order awarding Plaintiff attorney’s fees in the amount of \$540,543.60, and costs in the amount of \$5,960.88 (ECF No. 297) in the above-captioned matter¹ pending the outcome of appellate review. Pursuant to Local Rule 7.1, this Motion is based upon and hereby incorporates Drexel’s contemporaneously submitted Memorandum of Law as though fully set

¹ Both the judgment (ECF No. 261) and the award of attorney’s fees and costs (ECF No. 297) were entered only against Drexel University. Prior to trial, summary judgment was granted in favor of Roger Kurtz. The instant motion is therefore filed on behalf of Drexel University only.

forth at length. As explained in the Memorandum of Law, Plaintiff's counsel has indicated that Plaintiff has no objection to the form or amount of the rider.

Respectfully submitted,

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Date: August 15, 2025